

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 922
95TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 15, 2009, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

2097S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to allergy prevention and response in schools.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new
2 section, to be known as section 167.208, to read as follows:

**167.208. 1. By July 1, 2011, each school district shall adopt a
2 policy on allergy prevention and response, with priority given to
3 addressing potentially deadly food-borne allergies. Such policy shall
4 contain, but shall not be limited to, the following elements:**

5 **(1) Distinguishing between building-wide, classroom, and
6 individual approaches to allergy prevention and management;**

7 **(2) Providing an age-appropriate response to building-level and
8 classroom-level allergy education and prevention;**

9 **(3) Describing the role of both certificated and noncertificated
10 school staff in determining how to manage an allergy problem, whether
11 it is through a plan prepared for a student under Section 504 of the
12 Rehabilitation Act of 1973 for a student with an allergy that has been
13 determined to be a disability, an individualized health plan for a
14 student who has allergies that are not disabling, or other allergy
15 management plans;**

16 **(4) Describing the role of other students and parents in
17 cooperating to prevent and mitigate allergies;**

18 **(5) Addressing confidentiality issues involved with sharing
19 medical information, including specifying when parental permission is
20 required to make medical information available; and**

21 **(6) Coordinating with the school health advisory council, local**
22 **health authorities, and other appropriate entities to ensure efficient**
23 **promulgation of accurate information and to ensure that existing**
24 **school safety and environmental policies do not conflict.**

25 **Such policies may contain information from or links to school allergy**
26 **prevention information furnished by the food allergy and anaphylaxis**
27 **network or equivalent organization with a medical advisory board that**
28 **has allergy specialists.**

29 **2. The department of elementary and secondary education shall,**
30 **in cooperation with any appropriate professional association, develop**
31 **a model policy or policies by July 1, 2010.**

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